

1 BILL NO. X-88-06-38.

2 ANNEXATION ORDINANCE NO. X- 02-88

3 AN ORDINANCE repealing Annexation
4 Ordinance No. X-08-68

5
6 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
7 FORT WAYNE, INDIANA:

8 SECTION 1. That Annexation Ordinance No. X-08-68 is
9 hereby repealed. Said Ordinance proposed to annex the following
10 territory:

11 Commencing at the intersection of the West
12 line of the East half of Section 20, Township
13 31 North, Range 13 East, and the North right-
14 of-way of Stellhorn Road (commonly known as S
15 R 37) thence East along said right-of-way
16 line to its intersection with the East line
17 of the West half of Section 21, Township 31
18 North, Range 13 East; thence North to the
19 center of said Section 21; thence West along
20 the North line of the South half of Sections
21 21 and 20, Township 31 North, Range 13 East
22 to the center of said Section 20; thence
23 south on the west line of the East half of
24 said Section to its intersection with the
25 North right-of-way line of Stellhorn Road,
26 also, being the point of beginning,
27 containing approximately 320 acres.

28 SECTION 2. This Ordinance shall be in full force and
29 effect from and after its passage, approval by the Mayor and any
30 required legal publication thereof.

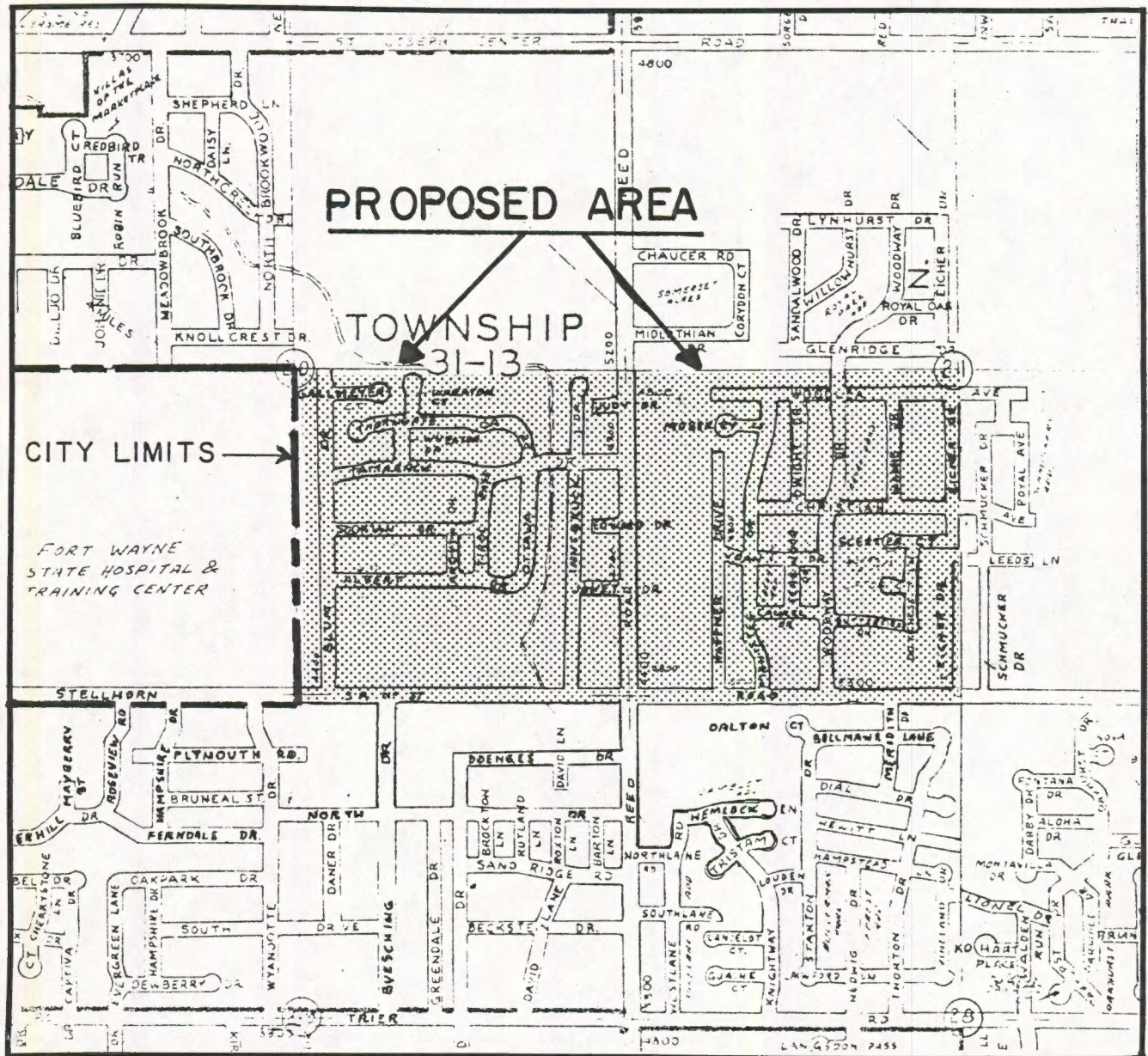
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Councilmember

APPROVED AS TO LEGALITY AND FORM:

J. Timothy McLaughlin

Tamarack Area



Read the first time in full and on motion by Redd, seconded by Van Junta, and duly adopted, read the second time by title and referred to the Committee on Annexation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, 19____, the _____ o'clock _____ M., E.S.T.

DATED: 6-28-88

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Redd, seconded by Van Junta, and duly adopted, placed on its passage. PASSED LOST by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>7</u>			<u>2</u>
<u>BRADBURY</u>				<u>1</u>
<u>BURNS</u>	<u>✓</u>			
<u>GIAQUINTA</u>				<u>1</u>
<u>HENRY</u>	<u>✓</u>			
<u>LONG</u>	<u>✓</u>			
<u>REDD</u>	<u>✓</u>			
<u>SCHMIDT</u>	<u>✓</u>			
<u>STIER</u>	<u>✓</u>			
<u>TALARICO</u>	<u>✓</u>			

DATED: 7-12-88

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. X-02-88.

on the 12th day of July, 1988.

Sandra E. Kennedy ATTEST
SANDRA E. KENNEDY, CITY CLERK

SEAL
Thomas P. Henry
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of July, 1988, at the hour of 11:00 o'clock A. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 22nd day of July, 1988, at the hour of 2:00 o'clock P. M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

DIGEST SHEET

X-88-06-38

TITLE OF ORDINANCE Repeal of the Tamarack Annexation Ordinance (X-08-68)

DEPARTMENT REQUESTING ORDINANCE Community Development and Planning

SYNOPSIS OF ORDINANCE Repeals the Tamarack Annexation Ordinance

EFFECT OF PASSAGE Enables the city to drop the previous litigation and begin a new annexation of the area.

EFFECT OF NON-PASSAGE The city would have to defend the annexation litigation and could lose the case, which would result in a two year delay in future annexation attempts.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) None

(ASSIGN TO COMMITTEE (J.N.)) Annexation

BILL NO. X-88-06-38

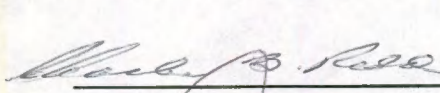
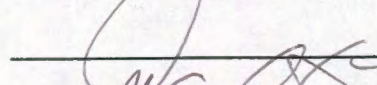
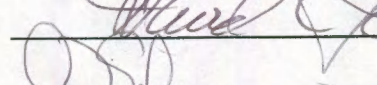
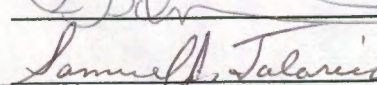

REPORT OF THE COMMITTEE ON ANNEXATION

WE, YOUR COMMITTEE ON ANNEXATION TO WHOM WAS
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) repealing
Annexation Ordinance No. X-08-68

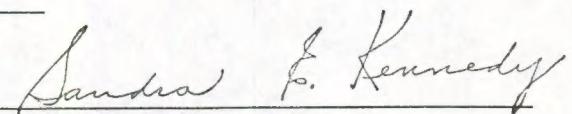
HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

YES

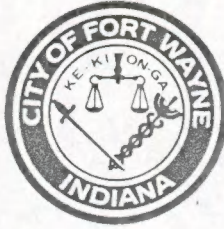
NO

	CHARLES B. REDD	_____
	CHAIRMAN	_____
	JANET G. BRADBURY	_____
	VICE CHAIRPERSON	_____
	DAVID C. LONG	_____
	DONALD J. SCHMIDT	_____
	SAMUEL J. TALARICO	_____

CONCURRED IN 7-12-88


Sandra E. Kennedy
City Clerk

All America City



Most Livable City

THE CITY OF FORT WAYNE

September 16, 1988

Ms. April Minnick
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Minnick:

Please give the attached full coverage on the dates of September 20 & 27, 1988, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. X-88-06-38
Annexation Ordinance
Bill No. X-88-06-37
Annexation Ordinance

Please send us 4 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 2

LEGAL NOTICE

Notice is hereby given that on the 12th day of
July, 1988, the Common Council of the City
of Fort Wayne, Indiana, in a Regular Session did pass
the following Bill No. X-88-06-38 Annexation
Ordinance No. X-02-88 to-wit:

BILL NO. X-88-06-38

ANNEXATION ORDINANCE NO. X-02-88

AN ORDINANCE repealing Annexation
Ordinance No. X-08-68


BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

SECTION 1. That Annexation Ordinance No. X-08-68 is
hereby repealed. Said Ordinance proposed to annex the following
territory:

Commencing at the intersection of the West
line of the East half of Section 20, Township
31 North, Range 13 East, and the North right-
of-way of Stellhorn Road (commonly known as S
R 37) thence East along said right-of-way
line to its intersection with the East line
of the West half of Section 21, Township 31
North, Range 13 East; thence North to the
center of said Section 21; thence West along
the North line of the South half of Sections
21 and 20, Township 31 North, Range 13 East
to the center of said Section 20; thence
south on the west line of the East half of
said Section to its intersection with the
North right-of-way line of Stellhorn Road,
also, being the point of beginning,
containing approximately 320 acres.

SECTION 2. This Ordinance shall be in full force and
effect from and after its passage, approval by the Mayor and any
required legal publication thereof.

Charles B. Redd


Councilmember

Read the third time in full and on motion by Redd, seconded
by Stier, and duly adopted, placed on its passage. PASSED by the
following vote:

AYES: Seven

Burns, Henry, Long, Redd, Schmidt, Stier, Talarico

NAYS: None

ABSTAINED: None

ABSENT: Two

Bradbury, GiaQuinta

DATED: 7-12-88

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort

Ft. Wayne Common Council
(Governmental Unit)To: The Journal-Gazette Dr.
P.O. Box 100
Fort Wayne, INAllen County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

170273

COMPUTATION OF CHARGES

73 lines, 1 columns wide equals 73 equivalent lines
at .495 cents per line\$ 36.14Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

2.00

TOTAL AMOUNT OF CLAIM

\$ 38.14

DATA FOR COMPUTING COST

Width of single column 12.5 emsNumber of insertions 2Size of type 6 point

LEGAL NOTICE

Notice is hereby given that on the 12th day of July, 1988, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-88-06-38 Annexation Ordinance No. X-02-88 to-wit:

BILL NO. X-99-06-38
ANNEXATION ORDINANCE NO. X-02-88
AN ORDINANCE repealing Annexation Ordinance No. X-08-68

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:
SECTION 1. That Annexation Ordinance No. X-08-68 is hereby repealed. Said Ordinance proposed to annex the following territory:

Commencing at the intersection of the West line of the East half of Section 20, Township 31 North, Range 13 East, and the North right-of-way of Stelhorn Road (commonly known as SR 37) thence East along said right-of-way line to its intersection with the East line of the West half of Section 21, Township 31 North, Range 13 East; thence North to the Center of said Section 21; thence West along the North line of the South half of Sections 21 and 20, Township 31 North, Range 13 East to the center of said Section 20; thence south on the west line of the East half of said Section to its intersection with the North right-of-way line of Stelhorn Road, also, being the point of beginning, containing approximately 320 acres.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and any required legal publication thereof.

Charles B. Redd
Councilmember

Read the third time in full and on motion by Redd, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Seven
Burns, Henry, Long, Redd, Schmidt, Stier, Talarico

NAYS: None
ABSTAINED: None
ABSENT: Two
Bradbury, GiaQuinta
DATED: 7-12-88

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-02-88 on the 12th day of July, 1988.

ATTEST:
Sandra E. Kennedy
City Clerk
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of July, 1988, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 22nd day of July, 1988, at the hour of 2:00 o'clock P.M., E.S.T.

Paul Helmke
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-02-88, passed by the Common Council on the 12th day of July, 1988, and that said Ordinance was duly signed and approved by the Mayor on the 22nd day of July, 1988, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 22nd day of July, 1988.
SANDRA E. KENNEDY, CITY CLERK

and penalties of Chapter 155, Acts 1953,

 foregoing account is just and correct, that the amount
er allowing all just credits, and that no part of the, 19 88

Title:

Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Trudy Sterling who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two time s, the dates of publication being as follows:

9/20, 27/88Subscribed and sworn to before me this 27th day of Sept., 19 88

Notary Public

Shelley R. LaRue

My commission expires:

March 3, 1990

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)	
-- number of equivalent lines	
Head -- number of lines	1
Body -- number of lines	70
Tail -- number of lines	2
Total number of lines in notice	73

COMPUTATION OF CHARGES

73 lines, 1 columns wide equals 73 equivalent lines	
at .495 cents per line	\$ 36.14
Additional charge for notices containing rule or tabular work (50 percent of above amount)	
Charge for extra proofs of publication (\$1.00 for each proof in excess of two)	2.00
TOTAL AMOUNT OF CLAIM	\$ 38.14

DATA FOR COMPUTING COST

Width of single column	12.5 ems
Number of insertions	2
Size of type	6 point

LEGAL NOTICE

Notice is hereby given that on the 12th day of July, 1988, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-88-06-38 Annexation Ordinance No. X-02-88 to-wit:

BILL NO. X-99-06-38
ANNEXATION ORDINANCE NO. X-02-88
AN ORDINANCE repealing Annexation Ordinance No. X-08-68
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SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and any required legal publication thereof.
Charles B. Redd
Councilmember

Read the third time in full and on motion by Redd, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:
AYES: Seven
Burns, Henry, Long, Redd, Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: None
ABSENT: Two
Bradbury, GiaQuinta
DATED: 7-12-88
Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-02-88 on the 12th day of July, 1988.
ATTEST:
Sandra E. Kennedy
City Clerk
Thomas C. Henry
Presiding Officer
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of July, 1988, at the hour of 11:00 o'clock A.M., E.S.T.
Sandra E. Kennedy
City Clerk

Approved and signed by me this 22nd day of July, 1988, at the hour of 2:00 o'clock P.M., E.S.T.
Paul Helmke
Mayor
I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-02-88, passed by the Common Council on the 12th day of July, 1988, and that said Ordinance was duly signed and approved by the Mayor on the 22nd day of July, 1988, and now remains on file and on record in my office.
WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 22nd day of July, 1988.
SANDRA E. KENNEDY, CITY CLERK

9-20-27

and penalties of Chapter 155, Acts 1953,

foregoing account is just and correct, that the amount after allowing all just credits, and that no part of the

Trudy Sterling
Clerk
19 88
Title:

PUBLISHER'S AFFIDAVIT

State of Indiana)
) ss:
Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Trudy Sterling who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two time s, the dates of publication being as follows:

9/20, 27/88

Trudy Sterling
Subscribed and sworn to before me this 27th day of Sept., 19 88.

Shelley R. LaRue
Notary Public
My commission expires: March 3, 1990